

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JULIAN PATINO-ESPINOZA,

Defendant.

:

:

Case No. 3:19cr114

:

JUDGE WALTER H. RICE

:

DECISION AND ENTRY FINDING DEFENDANT IN VIOLATION OF SUPERVISED RELEASE, A STATUS THAT BEGAN DECEMBER 21, 2021, REVOKING SAME AND IMPOSING SENTENCE, WITH A TWO-YEAR PERIOD OF SUPERVISED RELEASE TO FOLLOW UPON CERTAIN STATED CONDITIONS; EXECUTION OF SENTENCE SUSPENDED AT THIS TIME; FURTHER PROCEEDINGS WILL DETERMINE WHETHER SUSPENDED SENTENCE WILL BE PUT INTO EFFECT OR AMENDED TO TIME SERVED; RIGHT OF APPEAL ORALLY EXPLAINED AND DEFENDANT ORALLY INDICATED AN UNDERSTANDING OF SAME; NEITHER COUNSEL FOR THE GOVERNMENT NOR FOR THE DEFENDANT HAD ANY PROCEDURAL OR SUBSTANTIVE OBJECTIONS TO THIS COURT'S DISPOSITION; TERMINATION ENTRY

On September 9, 2022, the Defendant, having previously admitted to allegation number 3 in a Petition directing him to show cause why his Supervised Release, a status that began December 21, 2021, and been found in violation of his Supervised Release, appeared by video conferencing for final disposition. The government had previously moved the Court to dismiss allegations 1 and 2, a motion which was granted by the undersigned.

Pursuant to the record made on the aforesaid September 9, 2022, this Court revoked the Defendant's Supervised Release and remanded him to the custody of the Attorney General of the United States, the Bureau of Prisons for a period of one year, with a two-year period of

Supervised Release to follow, upon the following conditions:

1. Defendant is to be turned over forthwith to the immigration officials and will cooperate in his deportation. Moreover, he is not to reenter this country except upon the written permission of the Attorney General of the United States or the secretary of Homeland Security, or one of their designated officials.
2. He is to adhere to and discharge all previously imposed conditions of supervision.

Should Defendant return to the United States illegally and, of course, be apprehended, this Court will lift the suspension of the execution of the twelve-month sentence, and Defendant will be ordered to serve the entirety of said sentence. However, should Defendant provide the agreed upon cooperation between himself and the government and, further, should the Court receive notification of same, this Court will amend its sentence by vacating the twelve-month sentence and imposing a sentence of time served.

Following the above, the Defendant was orally explained his right of appeal and he indicated an understanding of same.

Neither counsel for the government nor for the Defendant had any procedural or substantive objections to this Court's disposition.

The captioned cause is ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

September 15, 2022



WALTER H. RICE
UNITED STATES DISTRICT JUDGE

Copies to:

**Counsel of record
Laura Sebulsky, USPO
US Marshal**